

REMARKS

Claims 1-19 are currently pending in the patent application. For the reasons and arguments set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

In the instant Office Action dated August 24, 2007, the following objections and rejection are noted: claim 7 is objected to due to a grammatical informality; claims 2, 4, 7 and 9-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form; and claims 1, 3, 5-6, and 8 stand rejected under 35 U.S.C. 103(a) over Cabral, Jr. *et al.* (U.S. Patent No. 6,700,203) in view of Grivna *et al.* (U.S. Patent No. 6,984,860).

Regarding the objection to claim 7, Applicant has added a period to the end of the claim as requested.

In response to the potential allowability of claims 2, 4, 7 and 9-11, Applicant has rewritten claim 4 in independent form as new claim 13, which incorporates limitations of the base and any intervening claims. Applicant submits that, as is consistent with the instant Office Action, claim 13 is in condition for allowance over the cited references. New claims 14-19 depend from claim 13 and are allowable over the cited references for at least the same reasons as claim 13. That is, where an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious. *See, e.g., In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, Applicant respectfully requests that claims 13-19 be allowed.

Applicant respectfully traverses the Section 103(a) rejection of claims 1, 3, 5-6, and 8 because the cited combination fails to correspond to the claimed invention which includes, for example, aspects directed to a small capacitor and a large capacitor being provided as vertical trench capacitors. The Office Action acknowledges that the Cabral reference “does not describe a combination of small and large capacitance trenches.” *See* page 4:11-12 of the instant Office Action. The Office Action then cites to various portions of the Grivna reference, however, the Office Action does not assert that Grivna teaches or suggests these aspects of the claimed invention. Thus, the Office Action fails to cite prior art that teaches or suggests each aspect of the claimed invention as required.

It appears that the Office Action's attempts to address the above mentioned aspects of the claimed invention by stating "The particular capacitor values being part of the PLL design". *See* page 6:12-13 of the instant Office Action. However, Applicant's claimed invention is not directed to particular capacitor values, but to a small capacitor and a large capacitor being provided as vertical trench capacitors (*i.e.*, each of the small and large capacitors is a single vertical trench capacitor). In an effort to facilitate prosecution, Applicant has amended claim 1 to clarify these aspects of the claimed invention, which would have been apparent to one of skill in the art. Applicant submits that the cited portions of the references do not teach or suggest such aspects. For example, the Cabral reference teaches an array of trench capacitors 92 that each have the same capacitance (*e.g.*, 40fF), with a multitude of cells needed in order to form a large capacitor. *See, e.g.*, Figure 6A, Col. 9:21-55. Thus, the Office Action fails to address each claim limitation as required.

In view of the above, the Section 103(a) rejection of claims 1, 3, 5-6, and 8 is improper and Applicant requests that it be withdrawn.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063 (or the undersigned).

Please direct all correspondence to:

Corporate Patent Counsel
NXP Intellectual Property & Standards
1109 McKay Drive; Mail Stop SJ41
San Jose, CA 95131

CUSTOMER NO. 65913

By: 

Name: Robert J. Crawford

Reg. No.: 32,122

651-686-6633

(NXPS.325PA)